

LOCAL COURT RULES
BOTHELL MUNICIPAL COURT
King County, State of Washington

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BTM-CrRLJ 3.4 (d)
VIDEO CONFERENCE PROCEEDINGS

(1) Authorization. Preliminary appearances held pursuant to CrRLJ 3.2.1(d), arraignments held pursuant to CrRLJ 3.4 and 4.1, bail hearings held pursuant to CrRLJ 3.2, and trial settings held pursuant to CrRLJ 3.3(f), may be conducted by video conference in which all participants can simultaneously see, hear and speak with each other. Such proceedings shall be deemed held in open court and in the defendant's presence for the purpose of any statute, court rule or policy. All video conference hearings conducted pursuant to this rule shall be public, and the public shall be able to simultaneously see and hear all participants and speak as permitted by the judge or judge pro tem. Any party may request an in-person hearing which may be granted at the discretion of the judge or judge pro tem.

(2) Agreement. Other trial court proceedings, including entry of a Statement of Defendant on Plea of Guilty as provided for by CrRLJ 4.2, may be conducted by video conference only by agreement of the parties, either in writing or on the record, and upon the approval of the judge or judge pro tem.

(3) Standards. The standards for video conference proceedings shall be as specified in CrRLJ 3.4(d)(3).

[Effective September 1, 2013]

BTM-CrRLJ 3.4 (e)
QUASHING WARRANTS - POSTING FEES

The Court may permit a defendant who has an outstanding warrant in the Bothell Municipal Court to appear in person and post a \$100.00 non-refundable warrant fee. Upon so doing, the warrant will be quashed and a new hearing will be set. A defendant may utilize this program one time only.

[Amended May 1, 2013]

BTM-CrRLJ 4.1 (a)
D. U. I. APPEARANCE - LOCAL WAIVER

Rescinded May 2013

BTM-CrRLJ 4.5 (a)
JURY CONFIRMATION

(i) Confirmation Required. No later than two (2) days prior to the date of the assigned jury trial, the defendant, if appearing pro se, or the defendant's attorney, if represented by legal counsel, and the City Prosecutor shall contact the Court Clerk between 9:00 a.m. and 3:00 p.m. and confirm the case is going to proceed to jury trial or that another disposition has been reached.

(ii) Failure to Confirm. Failure of a party to confirm the jury trial or to advise the Court Clerk that another disposition has been reached may cause the case to be stricken from the jury trial calendar. Failure of the defendant, if appearing pro se, or the defendant's attorney, if represented by legal counsel, to confirm the jury trial or to advise the Court Clerk that another disposition has been reached shall constitute an excluded period of the defendant's speedy trial rights pursuant to CrRLJ 3.3(e)(3).

(iii) Failure to Appear. Failure of the defendant to appear on the jury trial date may result in the issuance of a bench warrant for the defendant's arrest and forfeiture of any posted bail, unless a disposition has been confirmed by all parties. Any disposition will be heard on the next regularly scheduled court day unless an alternative date is set by the parties and is approved by the judge,

judge pro tem or court commissioner.

(iv) Sanctions. Any case confirmed for jury under this subsection and not proceeding to jury trial shall be subject to such sanctions, including but not limited to jury costs, witness fees and terms, as deemed appropriate by the trial judge.

[Amended May 1, 2013]

BTM-IRLJ 3.1 (f)
MOTIONS - CONTESTED INFRACTION HEARINGS

Motions challenging the authority of the Court, the constitutionality of the Court, the constitutionality of any statute, ordinance or court rule pertaining to an infraction, the authority of the prosecuting attorney prosecuting an infraction, and/or the authority of the law enforcement agency or officer filing an infraction must be made in writing. Such motions, together with citations to authority and argument, must be filed with the Court and served upon the opposing party no later than ten days prior to a contested infraction hearing. Such motions may be decided by the Court with or without oral argument, as the Court may determine.

[Amended May 1, 2013]

BTM-IRLJ 3.3 (b)
NOTICE OF APPEARANCE - CONTESTED INFRACTIONS

Rescinded May 2013

BTM-IRLJ 3.5
DECISION ON WRITTEN STATEMENTS

At the request of the respondent, the Court will conduct a mitigation hearing authorized by RCW 46.63.100 or consider a petition to defer a finding under RCW 46.63.070(5), or conduct a contested hearing authorized by RCW 46.63.090, upon the written statements of the City's witness(es) and the respondent, pursuant to IRLJ 3.5. A petition for a deferred finding which is denied by the Court will be treated as a request for a mitigation hearing on written statements.

[Effective September 1, 2010]
